

Practitioner's Document No. NEB-154

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ACT 1652  
JFW  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Thomas C. Evans, Ming--qunXu

Application No.: 09/249,543

Group No.: 1652

Filed: February 12, 1999

Examiner: Moore, William

For: Intein-Mediated Protein Ligation of Expressed Proteins

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 1.191)**

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed March 10, 2004, finally rejecting claims 63-89 and objecting to claim 90.

**1. STATUS OF APPLICANT**

This application is on behalf of a small entity. A statement was already filed on February 12, 1999.

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**CERTIFICATION UNDER 37 C.F.R. " 1.8(a) and 1.10\***  
(When using Express Mail, the Express Mail label number is **mandatory**;  
*Express Mail certification is optional.*)

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

X deposited with the United States Postal Service in an envelope addressed to the Mail Stop AF, Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

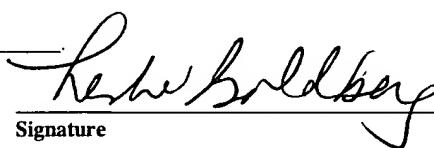
X with sufficient postage as first class mail.

**37 C.F.R. § 1.10\***

G as "Express Mail Post Office to Addressee"  
Mailing Label No. \_\_\_\_\_ (mandatory)

**TRANSMISSION**

G facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

  
Signature

Leslie Goldberg  
(type or print name of person certifying)

Date: August 17, 2004

\* Only the date of filing ('1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under '1.8 continues to be taken into account in determining timeliness. See '1.703(f). Consider "Express Mail Post Office to Addressee" ('1.10) or facsimile transmission ('1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

## **2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Appeal Brief is:

Small entity	\$165.00
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Notice of Appeal fee due	\$165.00
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## **3. EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for three months:

Fee	\$475.00
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If an additional extension of time is required, please consider this a petition therefor.

## **4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee	\$165.00
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Extension fee	\$475.00
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<b>TOTAL FEE DUE</b>	<b>\$640.00</b>
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## **5. FEE PAYMENT**

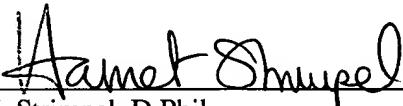
Attached is a check in the amount of \$640.00.

A duplicate of this transmittal is attached.

## **6. FEE DEFICIENCY**

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 14-0740.

Date: August 17, 2004

  
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